

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

JUAN C. BLACKMON-EL,)
vs.)
Petitioner,)
vs.) No. 1:09-cv-1129-WTL-TAB
THOMAS D. HANLON, Superintendent,)
vs.)
Respondent.)

Entry Discussing Petition for Writ of Habeas Corpus

In a prison disciplinary proceeding identified as No. CIC 09-06-0198, Juan Blackmon-El was found guilty of violating prison rules and was sanctioned. That determination has since been vacated and a new hearing will be conducted. This renders the habeas action moot, and an action which is moot must be dismissed for lack of jurisdiction. *Diaz v. Duckworth*, 143 F.3d 345, 347 (7th Cir. 1998); *Board of Educ. of Downers Grove Grade School Dist. No. 58 v. Steven L.*, 89 F.3d 464, 467 (7th Cir. 1996), cert. denied, 117 S. Ct. 1556 (1997). Blackmon-El opposes this resolution of his habeas petition, but states only in conclusory terms his concern that he will be unable to obtain a fair hearing. This concern fails to address the significance of the post-filing administrative action taken with respect to the disciplinary proceeding which is challenged here.

The respondent's motion to dismiss (dkt 8) is **granted**. Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 01/11/2010

William T. Lawrence

Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana